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*Appeal*, 30 Conn. 205; *Ferrier v. Myrick*, 41 N. Y. 315; *Crapo v. Armstrong*, 61 Iowa 697. But such an allowance was refused in *Little v. Williams*, 7 Ill. App. 67. The principal case seems to be in accord with the better American view in leaving the matter to the discretion of the court having supervision of the settlement of the estate.

HOMICIDE—CAUSES OF DEATH.—*PEOPLE v. KANE*, 107 N. E. (N. Y.) 655.—*Held*, where defendant's shooting deceased caused a miscarriage, followed by blood poisoning, from which she died, it is no defense that medical negligence intervened to cause death, unless such negligence was the sole cause of the death.

Notwithstanding the numerous conflicting *dicta* found in the reports, the actual adjudications in this country are overwhelmingly in accord with the principal case. *People v. Lewis*, 124 Cal. 551; *Thompson v. L. & N. R. R. Co.*, 91 Ala. 496. One inflicting an unlawful bodily injury is accountable for all consequences that flow from the injury in natural sequence. *Taylor v. State*, 41 Tex. Cr. R. 564. And medical attention, though erroneous and negligent, is in natural sequence. *Perdue v. State*, 69 S. E. (Ga.) 184. Although the chain of causation is broken by the intervention of an independent wrongdoer or disease, the original injury does not necessarily cease to operate as a cause of death ensuing within a year and a day from the inflicting thereof. *People v. Lewis, supra*. To excuse the original wrongdoer, it must appear that the intervening independent agency was the sole cause; that is, that at the moment of death the original injury was not contributing at all to the fact of the dying. *Hollywood v. State*, 120 Pac. (Wyo.) 471; *State v. Foote*, 58 S. C. 218; *Thompson v. R. R. Co., supra*; *Wagner v. Woolsey*, 48 Tenn. 235. And the presumption on this point is *prima facie* against the accused. *State v. Morphy*, 33 Iowa 270; *Loew v. State*, 60 Wis. 559. But the accused may in each case show to the jury the extent of the wound inflicted by him to aid them in their determination. *Wilson v. State*, 24 S. W. (Tex.) 409. In Texas, by statute, the general rule as to intervening agencies does not apply where the intervening agency consists of improper treatment. *Penal Code*, Art. 652. In a few jurisdictions the rule of the principal case is not followed, on the theory that its application involves the punishing of mere intent and the absurdity of having more than one murder of the same man. *State v. Wood*, 53 Vt. 560; *State v. Angelina*, 80 S. E. (W. Va.) 141. But this view overlooks the point that the homicide does not occur as a fact until death ensues within a year and a day, no matter how many persons may have done wrongful acts which contribute as causes of the death. *Com. v. Macloon*, 101 Mass. 1; *Robbins v. State*, 8 Oh. St. 131.

HUSBAND AND WIFE—"DESERTION."—*WELCH v. STATE*, 67 So. (FLA.) 224.—*Held*, that the word "desertion" has a broader meaning than mere physical separation, and that under the title "An act to provide punishment for the desertion of wife or child," the legislature may punish the withholding of means of support from such dependents.